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Serial No.:	09/870,865	Docket No.:	17209-480
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Applicant(s):	Stephen A. Lindia	Examiner:	Loftis, Johnna Ronee
For:	Employee Performance Monitoring System		

Mailstop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/RESPONSE ACCOMPANYING RCE, 37 CFR §1.114

Sir:

Further to the Examiner's Answer dated April 7, 2006 (hereinafter "Examiner's Answer"), Appeal Brief dated March 2, 2006 (hereinafter "Appeal Brief"), Advisory Action dated February 1, 2006 (hereinafter "Advisory Action") and Final Office Action dated October 17, 2005 (hereinafter "Office Action"), in view of the concurrently filed request for Request Continued Examination ("RCE"), and in view of the amendments and/or remarks, Stephen A. Lindia and/or Attorney(s) for applicant(s) (hereinafter "Applicant") request withdrawal from appeal, entry of the following amendments and/or remarks, reopening of substantive examination on the merits and reconsideration of the above-referenced application.

Amendments to the Claims are reflected in the listing of claims begin on page 2.

Remarks begin on page 9 of this paper.

35 USC § 102 remarks begin on page 9 of this paper.

35 USC § 103 remarks begin on page 14 of this paper.